

# PHILIPPINES



AMV Map by Boyet Rivera III

## A. Total Stock (Number) of Migrants, as of 2005

MIGRANTS ABROAD	
<b>ESTIMATED STOCK: MIGRANTS OUTSIDE THE COUNTRY</b>	
<b>TOTAL</b>	-
<b>a. By visa status</b>	Documented migrant workers*
	Emigrants/residents
	Undocumented migrants**
	Refugees***
	465
<b>b. By sex</b>	Male
	Female
<b>c. Top destination countries</b>	1. Saudi Arabia (1,019,330) 6. Taiwan (95,703)
	2. Japan (218,038) 7. Singapore
	3. Malaysia (213,372) 8. UAE
	4. Kuwait (144,861) 9. Qatar
	5. Hong Kong (118,030) 10. South Korea (30,760)

MIGRANTS IN PHILIPPINES	
<b>ESTIMATED STOCK: MIGRANTS IN THE COUNTRY</b>	
<b>TOTAL</b>	-
<b>a. By visa status</b>	Documented migrant workers*
	Emigrants/residents
	Undocumented migrants**
	Refugees***
	96
<b>b. By sex</b>	Male
	Female
<b>c. Top countries of origin (%)</b>	1. 6. 2. 7. 3. 8. 4. 9. 5. 10.

\* Non-resident, temporary, or contract workers.

\*\* Includes illegal entrants, overstayed or "jumped" visas, trafficked/smuggled people

\*\*\* As defined by the government, or in accordance with the UN refugee convention.

## B. Annual Socio-Economic Data and Migration Flow

Annual indicators	2005	2004	2003	2002	2001	2000
Population (million; mid-year estimate)	87.86	86.24	84.61	81.80	80.10	78.40
% population living below poverty line					40.00	
% population living in rural areas					40.6	
Economic growth: real GDP (%)	4.7	4.5	4.2	4.6	3.2	4.4
Per capita GDP (US\$)			989		912	3,800
Per capita GDP: purchasing power parity (US\$)	5,100	4,600	4,200		3,840	
Inflation rate: CPI (%; annual ave.)	7.90	3.10	2.9	3.10	6.1	4.4
Exchange rate: (Peso per US\$; annual ave.)	55.10	54.20	53.51	51.60	50.99	44.19
International reserves (US\$ billion; yearend)					15.66	15.02
Foreign direct investments: actual (US\$ billion; yearend)				0.83	1.95	2.03
Trade balance (US\$ billion; yearend)		(1.69)	(1.14)	0.41	(0.74)	3.81
Foreign (total external) debt (US\$ billion; yearend)	67.620	57.96	55.81	53.87	52.36	52.06
Foreign (total external) debt as % of GNP			66.40	64.80	68.10	65.80
Budget balance (Peso; billion; yearend) - consolidated PSD			(327.5)	(286.5)		
Budget deficit as % of GDP			7.6	7.3		
Labor force (million)	36.73	34.56	33.70	33.91	32.56	32.00
Women as % of labor force			38.0			
Number unemployed (million)				3.81	3.29	
Unemployment rate (% of labor force; annual average)	12.2	11.4	10.2	11.4	11.1	11.2
Underemployment rate (% labor force)				17.1	17.7	
Women unemployment rate (% of labor force)			10.30			
Average income (Peso/month) - capital city; legal min. wage				7,887	7,147	6,482
Average income: women (US\$/month)						
Adult literacy rate (% of age 15 & above who can read/write)				92.6	95.1	
Net migration rate (net # of migrants per 1,000 popn)	(-1.49)			(1.00)		(1.02)
Annual outflow of MWs: documented deployment: L+S (000)				891.91	867.60	841.63
% women in the annual outflow (%; landbased, new hires only)				72.54	72.04	70.48
Annual inflow of MWs						
% women in the annual inflow						
Annual migrants' remittance (US\$ billion/yr)			2.33	7.18	6.03	6.05
Reported # of migrant deaths during the year						613
# women among the reported dead migrants						173
Estimated # deported during the year						
Jailed/detained during the year						1,941
HIV/AIDS adult prevalence rate (adult PLHA as % of adult popn)			<0.1		<0.10	
# People living with HIV/AIDS (thousand)			9.0		1.5	
# AIDS deaths during the year (adults+children)			<500			
Cumulative #: HIV/AIDS cases among migrants (living+died)					0.38	

Sources: CIA World Factbook, UN/ILLO/UNDP statistical yearbooks/websites.

AMC Information Bank



AMC Photobank

Members of the Overseas Pinoy Theatre group in Hong Kong celebrate the Philippines' Independence Day with a cultural performance.

## PHILIPPINES

*This report was contributed by the Center for Migrant Advocacy- Philippines.*

### Political and Economic Update

Politics in the Philippines – always contentious – heated up beginning in mid-2005, as President Gloria Macapagal-Arroyo was implicated in alleged vote-rigging in the 2004 presidential election. Arroyo faced heavy pressure to resign, which culminated in impeachment charges brought against her. She survived both the first impeachment attempt in September 2005 and another in August 2006.

The scandal left deep scars, and opposition groups continued to call for her resignation, citing her illegitimacy based on the 2004 election's alleged vote-rigging. On 24 February, 2006, Arroyo declared a state of emergency after the government claimed it foiled an alleged coup d'état attempt against her administration. This allowed her to ban rallies, conduct warrantless arrests, and call in the military to intervene, letting her take over facilities, including media outlets, that could affect national security. Arroyo said this was triggered by efforts from the Opposition and the extreme left and right to bring her down. The emergency was lifted in March after massive protests.

While the next election campaign period does not officially begin until February 2007,

electioneering started in 2006. Both the administration and the opposition eyed half of the 24 Senate seats, all 250 seats in the Lower House, and over 17,000 local government positions that are up for grabs. The Opposition projected the exercise as a referendum on the President's legitimacy, given what they saw as unresolved election fraud in 2004. Meanwhile, the Arroyo Administration seemed confident it would retain control of Congress and elect supportive government officials. That elections in the Philippines are dominated by an exclusive group of economic and political elites, who often switch from one party to the next depending on what is expedient to their interest, manifested in the news of 'turncoatism' towards the Administration's party and its coalition, dwindling the Opposition ranks. In addition, government structures continued to increasingly become more tainted by politicking between and among those in the ruling classes, whether by Congress or Comelec. These developments bred greater insecurity and cynicism if not hopelessness among the general citizenry, adding to the push factors for overseas migration.

Human rights in the Philippines continued to be battered under Arroyo's leadership. Against a backdrop of more extra-judicial killings, she continued to push for the passage of an anti-terrorism bill, and in March 2007 the president signed the Human Security Act of 2007. The anti-terror law will take effect in July 2007. Progressive and human rights groups fear that the new law could have a serious impact on human rights in the country.

Sixty-six more political killings were reported in 2006, with the victims including activists, a radio broadcaster, religious figures, local government officials and a law student. Unsolved hundreds of such killings over the past six years had not led to a single conviction, reeking of the lack of accountability. Philip Alston, UN Special Rapporteur on extrajudicial executions, stated in his initial findings that:

"The AFP [Armed Forces of the Philippines] remains in a state of almost total denial of its need to respond effectively and authentically to the significant number of killings which have been convincingly attributed to them."<sup>1</sup>

Meanwhile, the conflict in the southern Philippines raged on. In January 2005, rebels from the MILF separatist group attacked government troops, breaking the 2003 ceasefire and leaving at least 23 dead. Later in the year, there was more fighting, this time between government troops and Abu Sayyaf rebels.

While the government touted economic success, poverty, unemployment and income disparity continued to plague the average Filipino citizen. Approximately 40% of the population lived beneath the poverty threshold of USD255 per year, particularly in rural areas where an estimated 49% of the rural population are unable to meet basic needs. Public perception of the problem is even worse: a recent Social Weather Station (SWS) self-rated survey on poverty and hunger reported that 19% or 3.4 million households perceived themselves as having nothing to eat at least once during the first three months of 2007, the highest recorded since SWS began the survey in the 1980s. It also found that 62% of Filipinos describe themselves as poor.

Meanwhile, President Arroyo and her economic managers bragged about the country's economic performance, including the bullish stock market and rising value of the peso, as well as the lower 2006 deficit of PHP62.2 billion, a 57% decline from 2005. Arroyo declared that the economy has taken off and is on track to reaching First World status in a number of years. Although the country's GDP has risen 6.1% in 2004, 5.1% in 2005 and another 5.4% in 2006, such declarations may be overly optimistic, considering the many problems with the Philippines economy. Some critics viewed the improved fiscal situation, the ballooning international reserves and peso appreciation as short- and medium-term



Photo courtesy of CMA

CMA has instituted an SOS SMS System for OFWs to send requests for help or information via text messages.

developments, and that long-term implications of such growth should also be looked into.

The surging peso and a bullish stock market have little impact on the lives of most Filipinos; a large portion of any recorded economic growth is not shared by the majority of the population. Human Rights Watch reported that a recent Family Income and Expenditure Survey found the richest 30% of families earned 66.3% of national income, while the poorest 30% received approximately 8%. In fact, inflation negatively impacts those depending on remittances from migrant workers, as they will receive fewer pesos for each dollar inflow due to the appreciating peso. Thus OFWs send more dollars to make up for the reduced local currency income, leading to further

peso appreciation. Critics added the continued peso appreciation and its consequences hurt the real, productive sector of the economy, negatively affecting employment and income.

Critics also believe that, given the current economy, a 6% annual growth rate for real GDP is not enough to make a dent on poverty reduction in the Philippines. An ADB study reported that this would require a sustained growth rate of 7-8%. The question for any economic growth is: "How big a slice did each worker get, and how did its size compare with those of other countries?" because "the growth rate of a country's output has to be evaluated against the growth rate of its economically active population and the rate of progress of the world technological frontier".<sup>2</sup> Food, jobs, affordable prices for basic goods and services, as well as public education and health programs, are currently deteriorating areas - indicators of worsening poverty and hunger in

the country.

To lower the deficit, the government drastically cut critical spending, especially on social services that are already grossly insufficient, and have been declining in real terms since 1997 and neglected for years. Real public spending on education for the year fell to PHP1,331 per Filipino in the recently-approved 2007 budget. Health spending is down to just PHP111.78 per Filipino. The latter is increasingly borne by Filipinos, who were forced into out-of-pocket spending. Government's share in total health expenditures has drastically fallen under Arroyo, possibly the steepest drop in such a short time. Both education and health requirements of families continued to drive OFWs from the Philippines.



Critics said such fiscal achievements are not so much signs of a strengthening economy than the shifting of economic burden to those least able to bear them. The government also charged higher regressive taxes to cut the deficit. The government surpassed tax and non-tax revenue targets due to its centerpiece reformed value-added tax (VAT) law implemented in February 2006. It increased the VAT rate from 10% to 12% and removed VAT exemptions on oil and electricity, among other provisions.

Debt service is another big problem. The government borrowed PHP592.4 billion in the first 11 months of 2006, while over four-fifths of this money went back to creditors as debt service. Despite this, the total national government debt still increased to PHP3.914 trillion in October 2006.<sup>3</sup> Overall, in 2006 the government paid around PHP854.4 billion in total public debt service, equivalent to PHP9,935 per Filipino, or seven times the combined spending on education and health. These fiscal measures ensured repayments to creditors and assured foreign investors of foreign exchange, but as one critic claimed, “The Arroyo administration has not only brought the country to its worst ever fiscal crisis, it is making the most public debt payments and is the most indebted government in Philippine history.”

In addition, much of this vaunted growth is driven by consumption derived from OFW remittances, which cannot be sustained. OFW remittances reached a record USD12,761,308,000 in 2006, up 19.4% from 2005, with a million dollar monthly average. These official figures are likely to be at least 20% below the real total according to a Central Bank estimate, considering some OFWs send cash home through friends and relatives.

USD1.1 billion came from the KSA, followed by USD590 million from Canada, USD574 million from Italy and USD561 million from the UK. Remittances from Japan, UAE and Hong Kong were not far behind.

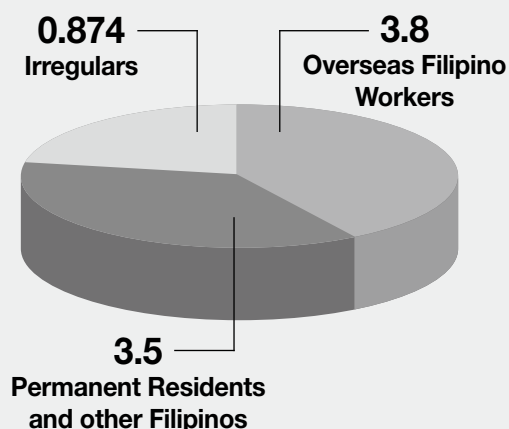
Canada registered the highest increase at 404% followed by Taiwan at 95% and UK at 87%. While the increase from Canada coincided with the 43% increase in deployment, those from Japan increased by 27% despite the plunge in deployment.

Almost three million Filipinos were out of work as of July 2006, an increase of 200,000 from 2005. Underemployment rate also increased to 13.3% from 12.5% during the same period in 2005, based on the July 2006 Labor Force Survey of the National Statistics Office (NSO). This does not look good besides President Arroyo’s promise to create 1.5 million jobs a year until 2010 to bring down the unemployment rate.

According to Filomeno S. Sta. Ana III of Action for Economic Reforms (AER), Arroyo’s “economic growth” has bypassed the majority of the people. More than one-fourth of the labor force is either unemployed or underemployed and the quality of employment of those who have work is poor. Most of those employed are in low-productivity activities, especially in rural areas, where much labor is unpaid. Even in urban centers, wages are poverty-level. He also stressed that the National Statistical Coordination Board counted among the employed “those who do any work for one hour during the reference period for pay or profit, or work without pay on the farm or business enterprise operated by a member of the same household related by blood, marriage or adoption.”<sup>4</sup> He added that the OFW phenomenon is a symptom of an economy that can’t provide quality jobs to the labor force, another push factor for OFWs.

Despite this, Department of Trade and Industry Secretary Peter Favila indicated a lack of understanding of the situation, stating that the Philippines is not lacking in work opportunities but that unemployed Filipinos are just fussy about the jobs that come their way.

**STOCK ESTIMATES OF OVERSEAS FILIPINOS (MILLIONS) DECEMBER 2006**



Source: CFO

**TOP TEN OCCUPATIONAL GROUPS (BY SEX; N=308,142; NEW HIRES, 2006)**

Categories	Percentage	%Women
Household & related work	29.7	98
Factory	14	29
Construction	14	7
Building caretakers	5.8	83
Hotel & restaurant work	5.1	60
Caregivers	4.7	94
Medical	4	85
Engineer	3.6	4
Dressmaker, tailors	2.5	95
OPAs	2.5	90

2006 Total deployment: 1,062,567 (7.5% from 2005)  
 Source: Philippine Overseas Employment Administration

**Migration Update**

**Current migration trends**

In 2005, 988,615 Filipinos were deployed to over 180 receiving countries; in 2006 this number reached a record high of more than one million OFWs (1,062,567), deployed to 197 country destinations, a 7.5% increase. An average of almost 3,000 OFWs left the Philippines daily in 2006, up 7.19% from 2005. New hires made up 33% of land-based workers, a 10.9% decline from 2005.

There are an estimated 8.2 million Filipinos overseas. Of the total number of migrant workers abroad, 44% are in the Middle East, with as many as one million workers in Saudi Arabia. 27% of irregular Filipino workers are in Asia, working mainly in Malaysia and Japan.

Land-based workers accounted for 74% of workers deployed, while seafarers comprised 26%. Labor and Employment Secretary Arturo D. Brion announced that the Philippines is the leading supplier of maritime manpower, with Filipino seafarers comprising almost 30% of the world's seafarers. However, the country's share of senior officers in the global fleet is only 14.8%.

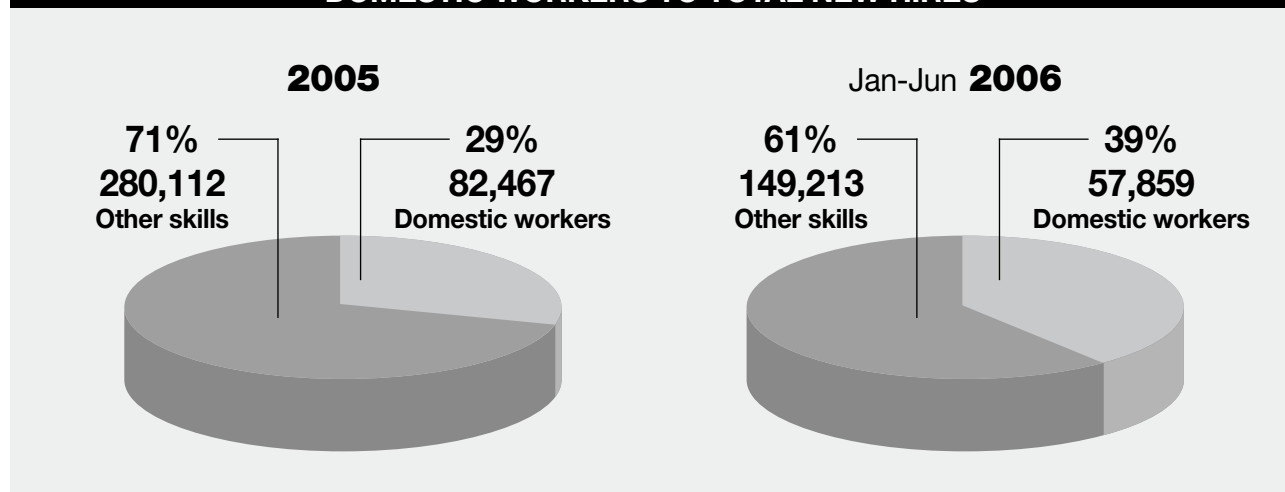
1% or 11,933 land-based new hires went through the government hiring facility; recruitment agencies complain about this, claiming it competes with their industry.

Almost 30% of new hires were household/related workers, while were 14% factory/related workers. Another 14% held jobs as construction workers. Approximately 6% worked in the medical/related field, while 5.1% were hotel/restaurant related workers. 32% of male OFWs worked in construction, 24% in factories, and 8% were engineers and related workers. Men comprised 93% of all construction workers and 70% of all factory workers. As to seafarers, the majority of the deployed seafarers (136,579) held the rank of ratings, while 52,757 were officers. 38,508 were passenger ship/liner personnel. 6,436 or 2.8% are women.

About 60% of the deployed new hires in 2006 were female. The past few years have seen an increasing feminizing trend of around 70-75%. The majority of women migrant workers hold jobs in the services industry.

Deployment of domestic workers has been increasing since 2003. In spite of news of abuses, highlighted in July and August 2006 during the Lebanon crisis, increasing numbers

### SHARE OF HOUSEHOLD SERVICE WORKERS DOMESTIC WORKERS TO TOTAL NEW HIRES



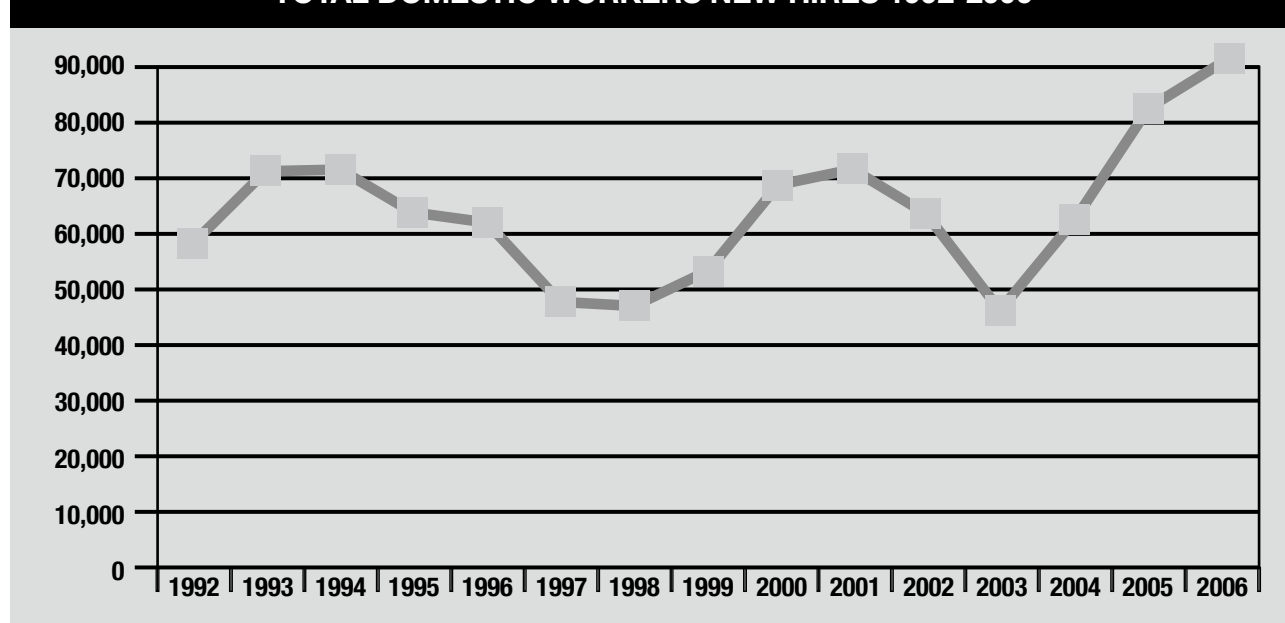
Source: Philippine Overseas Employment Administration

of Filipino workers have been deployed to KSA, UAE and Lebanon.

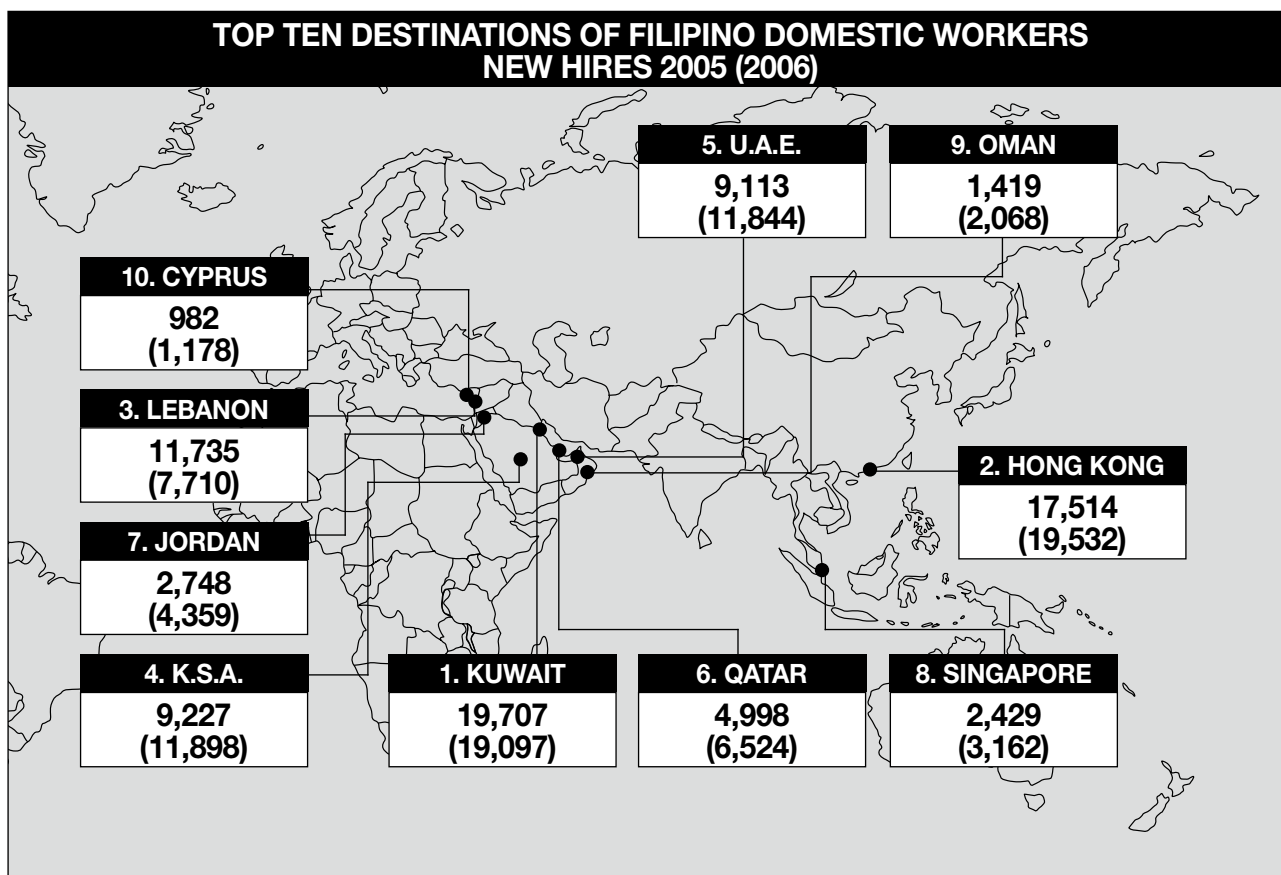
Almost 60% (462,545) of new hires and rehires went to the Middle East, while another 222,940 workers – around one-third – were deployed to Asia. Total deployment to

KSA increased by 15% (223,459) from 2005; deployment to the UAE increased by 20.9%; Kuwait, by 18.9%, Qatar, by 45.7% and Korea, by 40.2%. Except for Hong Kong, Taiwan and Japan, OFW deployment to all destinations went up by an average 16%. Most new hires were

### TOTAL DOMESTIC WORKERS NEW HIRES 1992-2006



Source: Philippine Overseas Employment Administration



Source: Philippine Overseas Employment Administration

deployed to KSA (90,604) followed by UAE (39,022), almost 30,000 to each of Kuwait, Taiwan and Qatar and 19,628 to Hong Kong.

Total deployment to Japan plunged from 74,480 in 2004 to 42,633 in 2005, then dropping an additional 75% to 10,615 in 2006. This is most likely a result of Japan's new policy regarding entertainers; foreign entertainers were required to have two years' related qualifications or experience in order to work in Japan. Overall deployment of overseas performing artists also decreased in 2005, by 13.9%. Despite this, Japan remained popular for those able to meet the requirements; almost 90% of new hire OPAs went to Japan (6,672) followed by 6% to Korea.

While 30% of the new hires left the country through LAC NAIA, more rehires are exiting via the local airports. Of the 470,390 rehires, 41% exited through the Labor Assistance

Center of the NAIA while the rest departed through Mactan (up by 25%), Clark, Davao (up 56%) and Laoag (down by 40%). This increases the growing need to decentralize government services to actual and potential OFWs and their families, particularly in regard to information dissemination.

### Government policies/legislation

#### *Skilled/professional labor migration*

The POEA continues to campaign for more highly paid jobs through marketing missions and bilateral agreements with host governments, amidst the current situation of high unemployment and high incidence of poverty in the Philippines combined with labor shortages in developed countries and impending acceleration of international trade in services.

It is in this light that President Arroyo's push



during the Lebanon crisis for a skills upgrade and training program for Filipino domestic workers into “super maids” should be viewed. Through this program, Filipino domestic workers would be able to administer first aid, initiate emergency procedures in case of fire and speak the language of their host country, apart from performing the usual housekeeping and cooking chores. The government hopes that in this way, domestic workers will command better wages abroad. This attempt is embodied in DOLE’s Reform Package for Household Service Workers signed in December 2006, that seeks to improve the salaries of Filipino domestic workers, including raising the monthly minimum wage of domestic helpers from the current USD200 to USD400 and requiring them to undergo skills training and orientation courses prior to deployment. The skills training would facilitate the re-deployment of domestic workers displaced from Lebanon to safer countries in the Middle East.

***International Standards and Bilateral/  
Multilateral Agreements/Arrangements***

The Philippines participates in the international trade in services described in GATS Mode 4 through bilateral arrangements with receiving countries, as exemplified by Arroyo’s signing of the Japan-Philippines Economic Partnership Agreement (JPEPA) in September 2006. The JPEPA is a combined bilateral investment treaty and free trade agreement that includes trade in goods (both industrial and agricultural), trade in services, investment, intellectual property, customs procedures, government procurement, cooperation (official development assistance) and dispute settlement. The JPEPA is to enable Philippine health care professionals to work in Japan, but imposes very high standards: Filipino nurses must master written and spoken Japanese and pass the nursing board exam (in Japanese) within two years if they are to continue working in Japan as full-fledged nurses. Caregivers are similarly required. Atty. Tanya Lat of the

Magkaisa Junk JPEPA Coalition asks whether, assuming the workers overcome such hurdles, they will be given decent work and treated as equals. There are also questions as to what safeguards are in place to ensure that these workers will be protected against exploitation and abuse.

The JPEPA is the first among a number of bilateral agreements that the Philippine government is currently negotiating. It should be viewed vis a vis the Philippines’ commitments under the World Trade Organization (WTO) and international treaties that pertain, among other things, to human and migrants’ rights. This is also a way the Philippine government jointly “manages” migration with host countries ostensibly to ensure better terms and conditions of employment for OFWs.

The Senate ratified ILO Conventions 97 and 143 on migrant workers. In addition, Filipina experts in government were very active in helping formulate a proposed General Resolution No. 27 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) that would make it wholly applicable to women migrant workers to provide them with further recourse to assert and fulfill their migrant and human rights.

While the government continues to proudly brag that its overseas migration program is recognized as a global model, NGOs urge the government to “walk the talk”, especially at the ground level. In particular, the government should provide sufficient protection to its citizens abroad. This includes cracking down on Philippine diplomatic personnel who have been charged with exploiting their own Filipina domestic workers or abusing OFWs who seek assistance.

***Brain drain***

The unregulated outflow of critical skills and talents threatens the country’s strategic aviation, electronics, shipping, steel, petrochemical, and telecommunications industries. Government

## Philippines Significant Events July 2004 - December 2005

### 2004

#### July

**(9)** Labor Secretary Patricia Sto. Tomas announces the creation of the Presidential Task Force on Illegal Recruitment (PTFIR). To be headed by Police Captain Reynaldo Jaylo and set up jointly by the Labor and Justice Departments, the PTFIR's function is to crack down on illegal recruiters and human traffickers.

**(13)** The Bureau of Immigration and Deportation (BID) announces a two-month moratorium for undocumented migrants in the Philippines to legalize their stay.

**(23)** Angelo de la Cruz, who was taken hostage in Iraq, returns to the Philippines after President Gloria Macapagal-Arroyo agreed to withdraw its forces from Iraq. A ban on further deployment of migrant workers to Iraq is issued, affecting some 4,000 Filipinos working in Iraq.

**(23)** Defeated presidential and vice presidential candidates Fernando Poe Jr. and Loren Legarda, accusing President Arroyo of electoral fraud, ask the Supreme Court (SC) in separate petitions for a recount of the May 10 vote.

#### September

The first case in violation of RA9208, the Anti-Trafficking in Persons Act, was filed against Martes Malinao for transporting 11 children in Southern Leyte, and promising them jobs as domestic workers in

Manila.

#### October

**(6)** A 24-hour service center is launched by the Overseas Workers Welfare Administration (OWWA) in coordination with the Philippine Overseas Labor Offices (POLO) to offer immediate assistance to overseas Filipino workers.

#### December

**(2)** Typhoon Nanmadol causes floods and landslides in Northern Philippines, displacing more than 160,000 people and killing at least 35; typhoons had already hit the country in November, leaving over 1,000 dead, injured or missing.

**(6)** President Gloria Macapagal-Arroyo signs ILO Conventions 97 and 143.

**(16)** 3,000 Filipino entertainers, their managers and members from various recruitment agencies protest in front of the Japanese embassy against the new immigration law (Law No. 73 for the Partial Amendment Immigration Control and Refugee Recognition Act), which would effectively criminalize victims of trafficking and other undocumented Filipino workers.

### 2005

#### January

**(14)** Bureau of Immigration Commissioner Alipio Fernandez Jr. announces that more than 2,110 will re-acquire their Philippine citizenship under the Dual Citizenship Law enacted in 2003.

records show that from 2000 to 2005, some 1,159 aircraft mechanics and technicians left the country on top of the number of airline support crew personnel directly hired by foreign employers, who did not pass through POEA. Industry groups in these sectors warned that unless remedial measures were instituted soon, some of the country's vital industries and services could be disrupted. Under Sec. 5 of RA 8042, the state has the power to suspend or ban deployment of certain critical skills and

talents "in pursuit of national interest or when public welfare so requires", while Sec. 31 states that the government shall provide professionals and other highly-skilled OFWs with adequate incentives and programs so as to secure their services in priority development areas of the public and private sectors.

Former Labor Secretary Sto. Tomas earlier rejected demands by some industry groups that the government impose a total deployment ban on workers in aviation, health care and

**February**

**(14)** At least 11 are killed and 150 wounded by three coordinated bombs attacks in Manila and two southern cities. Separatist group Abu Sayyaf claims responsibility.

**March**

**(4)** Labor Department lifts its 15-year-old ban on deployment of Filipino workers to Jordan.

**(14)** Four Filipino workers are beheaded in Saudi Arabia for stabbing Filipino worker, Jame dela Cruz.

**April**

**(16)** Peace talks between the government and the Moro Islamic Liberation Front (MILF) resumes after a year since their last meeting.

**June**

**(27)** First impeachment complaint is filed against President Arroyo by Oliver Lozano.

**July**

**(8)** Seven cabinet secretaries and three bureau chiefs resign, calling for President Arroyo to step down. Resignation calls also came from the Liberal Party, former President Cory Aquino and civil society groups, while up to 30,000 protesters have taken to the streets in Manila.

**(18)** President Arroyo appoints finance secretary Margarito Teves and budget secretary Romulo Neri to rebuild her economic team after the resignations of top cabinet members.

**(25)** Opposition parties file impeachment complaints with the

House of Representatives against President Arroyo on charges of at least 10 crimes, including electoral fraud in the May 2004 election.

**August**

**(12)** Zaldy Ampatuan is elected new governor of Autonomous Region in Muslim Mindanao (ARMM); he is the first governor of the region who is not a member of the Moro National Liberation Front rebel group.

**September**

**(6)** Congress dismisses three impeachment complaints filed against President Arroyo in July.

**December**

**(15)** Retired Philippine Army General Fortunato Abat is arrested after he called on President Arroyo to step down and proclaimed himself President. He and three others, including former ambassador Roy Seneres and former budget secretary Salvador Enriquez, are arrested on charges of sedition.

*Sources: BBC News, Scalabrini Asian Migration News, The Manila Times, www.asianews.it, Kyodo News International, www.guardian.co.uk, englishpeopledaily.com.cn, www.sunstar.com.ph*

education to stop the “hemorrhage of critical skills”, as the ban could constitutionally violate a person’s right to work wherever he or she wanted to. However, the POEA did restrict the deployment of pilots and aircraft mechanics abroad to prevent a disruption in the local aviation industry, effective April 2006.

Meanwhile, the government still has to provide incentives to “gain brain” from current and returned OFWs to contribute to local development.

***Hemorrhaging health sector***

A total of 34,445 nursing contracts were processed by POEA from 2003 to 2006, averaging some 8,600 annually. Almost 20,000 went to KSA, averaging 5,000 annually, though this number declined by 40% in 2006. Out of 8,528 new hire nurses in 2006, around one-third, or 2886, went to the KSA, followed by 398 to UAE. Another 202 went to Ireland, 191 to Kuwait, and 142 to Taiwan. Almost 60% newly hired caregivers went to Taiwan,

## EXCESSIVE PLACEMENT FEES

Excessive recruitment fees have long been a serious issue faced by migrant workers. This is often not due to lack of regulations, but to the difficulty in enforcing them as well as the lack of knowledge by the migrants and their almost desperate resolve to leave the country for the prospect of working abroad.

The Philippines, through the Philippine Overseas Employment Agency (POEA), has capped agency fees at no more than the equivalent of one month's wages abroad. In addition, many destination countries also have limits on agency fees charged in the country. Despite this, recruitment agencies in the Philippines and placement agencies or brokers abroad as well as their networks, e.g. illegal recruiters in the Philippines and abroad, have proved adept in getting around such regulations. A recent study of recruitment and placement fees in Israel provides an example of this exploitative practice.

Filipino workers who enter Israel to work pay an average commission fee of USD4,257, according to a survey of one hundred such workers by the Kav La'Oved organization for disadvantaged workers. Most of the commissions, which are collected illegally, find their way to manpower companies in Israel. Only USD1,928 of the total fee is paid in the

Philippines; the workers are told to pay the additional USD2,375 in Israel. Recruitment agencies in the Philippines are allowed to charge placement fee equivalent to no more than a month's salary, in this case USD584.

Some 90.5% of those surveyed said they took out loans to pay these fees. About 20% took out loans with a monthly interest rate of 5-10%, and about a third with monthly interest rates of 10% or more. The study also showed that the caregivers have to pay the lender an average of 7.5 paychecks in order to cover their loans.

The study also showed that while 87.8% of respondents received work contracts in the Philippines detailing the conditions of their employment in Israel, 60.7% reported that actual working conditions were worse than those promised to them. Many nurses are underpaid: with an average salary of USD584 and an additional NIS70-100 in pocket money each week, these wages are significantly lower than the minimum wage set by the National Labor Court for "around the clock" employment and even lower than the minimum wage for full-time employment.

Kav La'Oved surveyed one hundred Filipino caregivers employed in Israel in cooperation with the Center for Migrant Advocacy (CMA).

followed by Israel, Canada and the UK.

The continued exodus of local professionals, particularly nurses, has had a severe impact in the countryside. In some areas such as Surigao del Norte, Lanao del Sur and Sulu, there were no nurses at all in three hospitals. While the World Health Organization recommends a minimum of 100 nurses for every 100,000 people, in 2003 there were only 100 nurses per 283,000 Filipinos

working in the Philippines, according to the National Institute of Health. The Philippines General Hospital loses 300-500 nurses of their 2,000 strong health work force every year. In contrast, educational institutions are turning out large numbers of nurses: Dr. Fely Lorenzo of the UP-NIH said that every year, the 460 nursing schools in the country graduate between 15,000 and 25,000 nurses.

## OAV UPDATE: 2007

Despite the Overseas Absentee Voting Law's provision of a means for Overseas Foreign Workers (OFS) to assert and fulfill their rights as Filipino citizens, Filipinos abroad were lukewarm in their efforts to register and vote for the 2007 elections compared to 2004, according to the OAV secretariat of the Department of Foreign Affairs. Out of the one million Filipinos expected to register in the 2005-2006 OAV registration, only 143,155 actually did so, 60.72% of whom registered locally. Some major problems identified were the lack of information and education campaigns, as well as weak coordination between the posts and OFW organizations and NGOs, especially on-site.

Registration turn out: 140,144 or 38%, 60.7% of which were local registrants (at POEA, airports, etc.)

Election turn out: 15% (65<sup>^</sup> in 2004)

Contributing factors to the low registration and election turn out:

1. Lack of information on the voting modes, voting process, candidates and partylist system
2. Minimal effective cooperation between the OF communities and the embassies/consulates
3. Automatic disenfranchisement of voters

because the CLOAV (Certified List of Overseas Absentee Voters) was not updated

4. Tainted Comelec integrity arising from the 2004 Garci scandal
5. Bad governance by elected public officials
6. OFs are more interested to vote in presidential and/or local elections.

Recommendations:

1. Aggressive continuous information and education campaign among OFWs and would-be OFWs
2. Close coordination and partnership between the posts and the OF communities
3. Implement the continuing system of registration for OFW voters
4. Regularly update the CLOAV
5. Continue to explore the feasibility for internet voting, implement the automation and computerization of elections
6. Improve the law and its implementation, amend RA 9189 or the Overseas Absentee Voting Act of 2003
7. Advocate and promote good governance and the culture of OFW stakeholding in the affairs of the country
8. For OFW voters to be given the freedom to choose their preferred mode of voting – postal, personal or modified postal

### ***OFWs' Role in society***

Government continued to hail OFWs as modern heroes, usually in relation to fueling the Philippines' economy. They are regarded mainly as a function of their remittances, in which not only the government but also international institutions like the Asian Development Bank and World Bank have become increasingly interested – in particular how to tap their monies

for “development”.

However, the government continues to fail them in terms of providing sufficient protection as per the Magna Carta for Overseas Filipinos and their Families, rendering the accolade hollow. Nor are they sufficiently represented in or consulted by government agencies and programs that concern them, such as the domestic worker policy reform.



Worse, Kanlungan Center also criticized OWWA for allegedly preventing the appearance of two Filipino evacuees in a news conference on the issues plaguing the OFWs. The OWWA imposed stricter measures on the comings and goings of repatriates from the OWWA shelter after learning that they were to meet the media. The Center for Migrant Advocacy (CMA) and its partners in Saudi Arabia similarly complained of the same when there were efforts to silence repatriates from the Bahay Kalinga.

### ***The Overseas Absentee Voting (OAV) Law or Republic Act 9189***

Despite the Overseas Absentee Voting (OAV) Law a way of asserting and fulfilling their rights as Filipino citizens, Filipinos abroad were lukewarm in their efforts to register and vote for the 2007 elections compared to 2004, according to the OAV secretariat of the Department of Foreign Affairs. Only 143,155 registered in the 2005-2006 OAV registration, out of a million expected to enlist, 60.72% of whom registered locally.<sup>5</sup> Major problems identified were the lack of information and education campaigns and weak coordination between the posts and OF organizations and NGOs, especially onsite. (See Box Story on OAV, previous page)

### ***Undocumented migration and trafficking***

Almost 900,000 irregular or undocumented Filipino migrant workers are working abroad. Some leave without proper work visas, wittingly or unwittingly, while others leave the Philippines properly documented but become undocumented when they are forced to abscond from exploitative or abusive employers to whom their work visa is tied. For whatever reason, irregular status increases migrants' vulnerability to detention, deportation and other rights violations.

Visit or tourist visas and escort services to the Middle East as in the UAE, Oman, Kuwait and elsewhere have become common ways to find employment overseas. The backdoor exit and

“baklas” passports using somebody else's birth certificates and other documents in Mindanao also continued to land undocumented OFWs in Malaysia, a transit point to other countries. Other non-visa countries, particularly ASEAN countries, were likewise targeted for deploying undocumented migrants. Many Filipino tourists in Australia entered with valid tourist visas but sought employment and were immediately detained and deported back to the Philippines.

Ten undocumented Filipinos driving trucks that were part of a 20-vehicle convoy from Kuwait en route to Baghdad despite the travel ban to Iraq that the Philippines imposed on its nationals. The death of one migrant worker on 30 July due to an improvised bomb reportedly thrown on the path of his truck as he crossed the border to Iraq put the Department of Foreign Affairs on the spot. The convoy was accompanied by a US military escort.

Irregular migration of OPAs to Korea through “escort services” became a more prominent phenomenon in 2006. Of a larger group of Filipino singers, band members and dancers, including those displaced by stricter immigration rules imposed by the Japanese government, only 30% of these OPAs possessed valid travel documents and registered with the Philippine Embassy and the Philippine Overseas Labor Office. It was reported to the DOLE that some promotions agencies in Manila worked with foreign promoters who do not want to be accredited with the POEA and who reportedly pay USD300 to their NAIA contacts for every OPA that leaves the country. Meanwhile, Administrator Baldoz noted a marked increase in the number of spouse visas to Japan following the 2005 implementation of stricter immigration rules on foreign female entertainers. Officials suspect some Filipino women may marry Japanese men to gain entry into Japan, where they may then be forced to do other jobs.

The US Department of State's 2006 Trafficking in Persons report cited the anti-



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Ellene Sana of CMA-Philippines participates in the UN High-Level Dialogue on Migration and Development in New York.

trafficking efforts of the Philippine government in assisting migrant workers, although not sufficient to prevent trafficking or protect those who were exploited abroad. While the country was taken out of the watch list of problem nations and moved to Tier 2 countries that made substantial progress in combating human trafficking owing to a series of court victories and a larger deployment of prosecutors against forced prostitution, sex trafficking and child labor, Tier 2 also classifies those countries like the Philippines that do not fully comply with minimum international standards and remain “a source, transit, and destination country for men, women and children trafficked for purposes of human exploitation and forced labor.” The report noted it had “stepped up efforts to implement its anti-trafficking law and made initial progress in implementing strategies to combat, particularly in prosecuting human traffickers.”

On the other hand, government efforts against illegal recruitment agencies had largely been wasted because suspects escaped

prosecution on some technicalities while many of those arrested avoided prosecution by posting bail despite the fact that an illegal recruitment case is a non-bailable offense.

#### *Detention and deportation*

Some 174 freed prisoners in Saudi Arabia, including 10 convicted for homicide, were scheduled to arrive in the Philippines four hours after the president’s arrival. They comprised the first of three batches of released prisoners to be returned to the country, pardoned by Saudi’s King Abdullah Bin Abdul Aziz al-Saud. Another 200 jailed Filipinos were freed in February in anticipation of Mrs. Arroyo’s state visit.

#### *Rights Violations*

Suneeta Mukherjee, country representative of the United Nations Population Fund (UNPF), noted that the top three destinations of overseas Filipino workers are Saudi Arabia, Hong Kong, and the United Arab Emirates, none of which has ratified the International Convention on the

## OFWS CAUGHT IN THE LEBANON CRISIS

The crisis in Lebanon, when violence broke out with Israel, highlighted a number of flaws in the Philippines' much-vaunted migration program. Migrants' organizations, NGOs and advocates rose in uproar over the failure of the government to timely and effectively respond to the Lebanon crisis that stranded thousands of Filipino domestic workers in Lebanon and later in Syria, where they moved preparations for evacuation to the Philippines. Despite substantial experience with war in the Middle East and consequent mass evacuation, and despite Malacañang's multi-agency task force specifically formed to oversee the repatriation of migrant workers from Lebanon, the government was still unable to carry out a realistic and gender-sensitive contingency or evacuation preparedness plan.

The Lebanon crisis also trained eyes on OWWA, when Philippine Ambassador to Beirut, Al Francis Bichara, announced that they had no emergency funds to repatriate migrant workers. The OWWA and the executive department rushed to cover this up, and the OWWA board of trustees approved in August the release of PHP500 million for the continuing repatriation of Filipino workers. This refreshed the advocacy to review and reform OWWA.

Only after the crisis broke out, did the

government seem to realize that many domestic workers there receive substandard wages, and are vulnerable to or victims of various rights violations. Moreover, approximately 64% were irregular migrant workers, entering Lebanon as tourists or students, which irregular status makes them even more vulnerable to exploitation.

Lebanon became known for several incidents of migrant workers leaping from buildings to escape abusive employers. The Department of Foreign Affairs reported that two workers, Mary Jane Pangilinan, 23, of Tondo, Manila and Michelle Tomogan, 24, of Quezon City died in July in Lebanon after jumping from apartment buildings to escape from their employers who refused to allow them to be repatriated. Officials were informed by their families that the victims had complained of maltreatment by their employers and that they wanted to go home. At least five other migrant workers suffered injuries after jumping out of their employers' homes to be repatriated. Estrelita Hizon of the Philippine Association of Mediterranean Agencies Deploying Labor told reporters that most victims of abuses were irregular migrant workers. Violence against Filipina domestic workers in Lebanon was captured on video by Focus on the Global

Protection of the Rights of All Migrant Workers and Members of their Families. "With the non-adherence of many receiving countries to the convention, women international migrants face multiple risks of human rights violations – on the basis of gender, of their socio-economic class, and of their ethnicity," she said.

CMA reported that in 2006, they received about a thousand cases of distressed workers, 34% of which were labor-related problems ranging from breach of contract, contract

substitution, non-payment, underpayment of salaries, sub-standard working and living conditions, long working hours, etc.

Apart from labor-related problems and discrimination, women migrant workers continue to experience various forms of gender-based violence ranging from sexual harassment to rape cases. In their attempts to seek redress and justice in foreign lands, they hardly had time to undergo stress and psychosocial debriefing because they had to

South entitled "Suicide Jumpers: Modern Day Heroes in a Modern Day War".

During the crisis, about 20 OFWs were held at the Lebanese-Syrian border on 1 August after their employers allegedly filed criminal charges against them. On 6 August, four more were detained by immigration authorities at the border after their Lebanese employers also accused them of theft. They were later released upon the intercession of Philippine Embassy and IOM officials. Officials believe the employers filed false charges against the Filipino workers in a desperate attempt to prevent them from leaving.

The Lebanon crisis once more put the health situation of OFWs high on the agenda. Shirley Balajadia, the 30-year old OFW who went missing in Lebanon a week before hostilities broke out, arrived in Manila on 11 August. She was reported to have been confined at the psychiatric ward of the Salmaniya Medical Complex in Bahrain for almost a month after collapsing at the airport and diagnosed with dementia. She was given clearance to travel back to the Philippines only recently, after she appeared to have recovered from her illness. Health Secretary Francisco Duque revealed that at least eight Filipino workers who came back from Lebanon are suffering from mental disorders due to war trauma or ill treatment by their employers. He

said two of them were sent to the National Center for Mental Health for intensive treatment.

While 6,562 OFWs have been repatriated to the Philippines from Lebanon as of September 2006, some 25,000 Filipino migrant workers remained in southern Lebanon. Foreign Affairs Undersecretary for Migrant Workers Affairs Conejos said a number of these migrant workers, particularly those who have been there for several years, are hesitant to leave for fear of losing their jobs.

The evacuation and repatriation during the crisis of some and unwillingness to repatriate by more Filipino domestic workers to the Philippines for fear they will lose their jobs once again highlighted and challenged the undeveloped reintegration program of government. Thus, a total of 1,062 repatriates were referred to recruitment agencies, which cooperate with the DOLE and the POEA in facilitates their re-employment overseas. OFW returnee beneficiaries of migrant NGOs, including those who came home after being in distress abroad is soon pushed to migrate again to re-try their luck abroad just like more than a thousand Lebanon repatriates that the government prioritized for redeployment abroad.

personally pursue their cases, making sure the Philippine representatives from the embassies and consulates are attending to their cases. Programs and services to victims of gender-based violence both onsite and upon return must be developed and provided for by OWWA and POLOs.

Violence against Filipina OFWs was given many faces by domestic workers in Lebanon captured on video by Focus on the Global South entitled "Suicide Jumpers: Modern Day Heroes

in a Modern Day War". It also took the form of Luisita Ramos-Latorza who allegedly fell from a six-story building in Kuwait in June. Her sister said she noticed wounds made with a sharp object on Latorza's neck, chest and on the left part of her body and signs that the victim had been hit on the head and tied up before the fall. The city government of Santiago, Isabela has appealed to OWWA and the National Bureau of Investigation (NBI) for assistance to conduct a second autopsy of her body to determine the

real cause of her death.

### ***Health issues and HIV/AIDS***

Department of Health statistics showed of the 2,566 Filipinos diagnosed as HIV positive, 35% were overseas workers. In the beginning of the year, OFWs accounted for 821 of the 2,410 HIV/AIDS cases recorded since 1984. DOH reported that records show about 289 seafarers (35%), 139 domestic workers (17%), 70 employees (9%), 62 entertainers (8%), 56 healthcare workers (7%) were infected with HIV/AIDS. The remaining 205 (24%) of the 821 OFWs were not categorized. On the other hand, one-sixth of Filipinos diagnosed as HIV-positive are female migrant workers, according to a statement by UNPF's Mukherjee during the Philippine launch of the State of World Population Report 2006.

### **Responses**

Philippine migrant NGOs finally saw the fruit of their advocacy to suspend Sections 29 and 30 of the RA 8042 and strengthen the regulatory powers of the POEA under RA 9442. Together with partners abroad, they also protested and demanded the suspension of the implementation of the domestic worker reform package for lack of consultation with the domestic workers themselves.

The Center for Migrant Advocacy, the Philippine Seafarers Assistance Program based in the Netherlands, and families of migrants in Cebu City launched advocacy for the newly ratified ILO Seafarers' Convention in a public forum.

Advocacy for local registration of OAV voters spearheaded by CMA was also heeded by Comelec when it implemented local registration of departing OFWs at the POEA, airports and of departing seafarers. Local registrants made up 60.72% of new registered OAV voters, increasing total registered OAV voters in 2004

from 364,187 to 504,331 for 2007.

OFW organizations and migrant NGOs and advocates rose in uproar over the failure of the government to timely and effectively respond to the Lebanon crisis that stranded thousands of Filipino domestic workers in Lebanon and later in Syria where they moved preparatory to evacuation to the Philippines. The government seemed only then to realize that many domestic workers there receive substandard wages, and that some 64% were irregular migrants, entering Lebanon as tourists or students and were vulnerable to or victims of different rights' violations.

Philippine migrant NGOs, together with the Migrant Forum Asia and its other members held counterpart advocacy activities during the ASEAN summit in Cebu City that was suddenly postponed to January. Select MFA member organizations including CMA also lobbied at the United Nations during the High Level Dialogue in New York.

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